Supreme Court, U.S.
FILED
00 702 JUL 25 2000
OFFICE OF THE CLERK

No. _____

In The

Supreme Court of the United States

JOHN E. JUDGE

Petitioner

vs

JAMES W. HATCH, HATCHCO INC. and

HATCHCO INC. EMPLOYEE PENSION PLAN

Respondent

On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit

SUPPLEMENTAL APPENDICES 5 and 6

JOHN E. JUDGE
2915 Weest Charleston Blvd., # 7
Las Vegas,
Nevada, 89102

App. 5

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED
JUN - 8 2000
CATHY A. CATTERSON CLERK
U.S. COURT OF APPEALS

JOHN E. JUDGE

No. 98 - 16227

Plaintiff-Appellant

DC#CV-96-00972-PMP
Nevada (Las Vegas)

FOXFORD INVESTMENT,

ORDER

Plaintiff,

v

JAMES W. HATCH; HATCHCO INC.
HATCHCO INC. EMPLOYEE PENSION

Defendants-Appellees

Before : GOODWIN, LEAVY and TASHIMA,
Circuit Judges.

Appellant's petition for panel hearing is denied

No further filings will be accepted in this closed appeal.

App. 6

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED
FEB 15 2000
CATHY A. CATTERSON
CLERK, U.S. COURT OF APPEALS

JOHN E. JUDGE
Plaintiff-Appellant

No. 98 - 16227
D.C.No. CV-96-00972-PMP

FOXFORD INVESTMENT,

Plaintiff,

v

MEMORANDUM

JAMES W. HATCH; HATCHCO INC.
HATCHCO INC. EMPLOYEE PENSION

Defendants-Appellees

Appeal from the United States District Court
for the District of Nevada
Philip M. Pro, District Judge, Presiding

Before : GOODWIN, LEAVY and TASHIMA,
Circuit Judges.

John E. Judge appeals pro se from the the district court's

App. 6 - contd

dismissal of his diversity action in which he alleged fraud and sought to set aside a state court judgment. We review de novo a district court dismissal for lack of subject matter jurisdiction. *See Crist v Leippe*, 138 F. 3d. 803 (9th. Cir. 1998). We review for abuse of discretion a district court's denial of a demand for entry of default judgment, *see Eitel v McCool*, 782 F. 2d. 1470, 1471 (9th. Cir. 1986), and entry of a vexatious litigant order, *see De Long v Hennessey*, 912 F. 2d. 1144, 1146, (9th. Cir. 1990). We affirm.

Judge contends that the district court erred in dismissing his complaint for lack of subject matter jurisdiction. Judge's contention lacks merit because " federal district courts have no authority to review the final determinations of a state court in judicial proceedings ". *Branson v Nott*, 62 F. 3d. 287, 291, (9th. Cir. 1995)

Judge contends that the district court abused its discretion by denying his motion for entry of default judgment. Judge's con-

App. 6 - contd.

tention lacks merit because the factors to be weighed in favor of denying the entry of default judgment weighed in favor of denying his motion. *See Eitel*. 782 F. 2d. 1471-72. Judge contends that the district court abused its discretion entering the vexatious litigant order against him. Judge's contention lacks merit because the order was " based on adequate justification supported in the record and narrowly tailored to address the abuse perceived ". *DeLong, 912* F. 2d. at 1148

AFFIRMED.

Dated October 26, 2000

Respectfully submitted

John E. Judge
2915 W. Charleston Blvd.,
Ste. # 7,
Las Vegas,
Nevada, 89102